

1 Paul J. Pascuzzi, State Bar No. 148810  
Jason E. Rios, State Bar No. 190086  
2 Thomas R. Phinney, State Bar No. 159435  
Mikayla E. Kutsuris, State Bar No. 339777  
3 FELDERSTEIN FITZGERALD  
WILLOUGHBY PASCUZZI & RIOS LLP  
4 500 Capitol Mall, Suite 2250  
Sacramento, CA 95814  
5 Telephone: (916) 329-7400  
Facsimile: (916) 329-7435  
6 Email: ppascuzzi@ffwplaw.com  
jrios@ffwplaw.com  
7 tphinney@ffwplaw.com  
8 mkutsuris@ffwplaw.com

9 Ori Katz, State Bar No. 209561  
Alan H. Martin, State Bar No. 132301  
10 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP  
A Limited Liability Partnership  
11 Including Professional Corporations  
Four Embarcadero Center, 17<sup>th</sup> Floor  
12 San Francisco, California 94111-4109  
Telephone: (415) 434-9100  
13 Facsimile: (415) 434-3947  
Email: okatz@sheppardmullin.com  
14 amartin@sheppardmullin.com

15 Attorneys for The Roman Catholic Archbishop of  
San Francisco

16 UNITED STATES BANKRUPTCY COURT  
17  
18 NORTHERN DISTRICT OF CALIFORNIA  
19 SAN FRANCISCO DIVISION

20 In re

21 THE ROMAN CATHOLIC ARCHBISHOP  
OF SAN FRANCISCO,

22 Debtor and  
23 Debtor in Possession.

Case No. 23-30564

Chapter 11

24 Date: March 13, 2025  
Time: 1:30 p.m.  
Location: via Zoom  
Judge: Hon. Dennis Montali

25 **RESPONSE TO THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS FOR**  
26 **ORDER APPROVING EMPLOYMENT OF CUSHMAN & WAKEFIELD AS REAL**  
27 **ESTATE VALUATION EXPERT TO THE OFFICIAL COMMITTEE**  
28 **OF UNSECURED CREDITORS [AS AMENDED]**

1 The Roman Catholic Archbishop of San Francisco, the debtor and debtor in possession (the  
2 “RCASF” or the “Debtor”), submits this response to the *Application of the Official Committee of*  
3 *Unsecured Creditors for Order Approving Employment of Cushman & Wakefield as Real Estate*  
4 *Valuation Expert to the Official Committee of Unsecured Creditors* [ECF No. 877] and the *Notice*  
5 *of Amendment and Notice of Filing of (A) Supplemental Declaration of Melissa J. Bach, MAI, CRE*  
6 *in Support of Application of Official Committee of Unsecured Creditors for Order Approving*  
7 *Employment of Cushman & Wakefield as Real Estate Valuation Expert* [ECF No. 1000].

8 1. Upon reviewing the Committee’s original application, the Debtor discovered that the  
9 application did not disclose a potentially disqualifying connection to the Debtor. The Debtor  
10 immediately brought this to the attention of the Committee. The Committee’s amendment and  
11 supplemental declaration now discloses several previously undisclosed connections.

12 2. The Debtor also requested the Committee to provide a budget for the proposed  
13 employment. The Committee represented that the fees will be less than \$100,000.00. The Debtor  
14 requests that Cushman’s compensation for the retention be limited to less than \$100,000.00.

15 3. In light of Cushman & Wakefield’s now disclosed previous and ongoing work for  
16 the Debtor and numerous of the Debtor’s professionals, the Debtor made a simple request: share  
17 any real estate valuations with the Debtor so that they can be beneficial to both parties in connection  
18 with the mediation to resolve this case. After all, real estate appraisals are supposed to be  
19 independent and objective, not skewed for a litigation advantage or gamesmanship. The Debtor  
20 offered to waive any potential conflict presented by the connections and work with the Committee  
21 to strategically value real property that would be efficient and beneficial to the process.

22 4. The Committee declined this opportunity to work collaboratively with the Debtor  
23 and to save the estate the substantial costs of duplicate real estate professionals being paid by the  
24 estate. The Committee even declined to share Cushman & Wakefield’s valuations under the  
25 protective order issued in this case and instead filed the amendment and set the application for  
26 hearing.

27 5. The Debtor is aware of the U.S. Trustee’s Objection and Reservation of Rights filed  
28 at ECF No. 1044.

1           6.       If the Court is inclined to approve the application, the Debtor requests the Court  
2 include the following in the order: “Subject to the confidentiality provision of the *Stipulated*  
3 *Protective Order Dated December 15, 2023* [ECF No. 374] and the *Order Approving Stipulation*  
4 *Clarifying Stipulated Protective Order* [ECF No. 801], within five days of receipt the Committee  
5 shall provide the Debtor any valuation reports or indications of value that Cushman creates in  
6 connection with its retention in this case, all documents containing the facts and data Cushman  
7 considered in preparing those valuations, and any exhibits that will be used to summarize or support  
8 Cushman’s valuations.” A similar provision was included in the Committee’s real estate  
9 professional employment order in the Roman Catholic Bishop of Oakland case at ECF No. 1332,  
10 paragraph 13.

11 Dated: March 6, 2025

FELDERSTEIN FITZGERALD WILLOUGHBY  
PASCUZZI & RIOS LLP

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By: /s/ Paul J. Pascuzzi

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Mikayla E. Kutsuris

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Attorneys for The Roman Catholic Archbishop of  
San Francisco

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20 Dated: March 6, 2025

SHEPPARD, MULLIN, RICHTER & HAMPTON  
LLP

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By: /s/ Ori Katz

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Ori Katz

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Alan H. Martin

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Attorneys for The Roman Catholic Archbishop of  
San Francisco

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